

The Honorable Marc L. Barreca
Hearing Date: March 13, 2024
Hearing Time: 9:00 a.m.
Chapter 13
Response Date: March 6, 2024
Location: VIA EVERETT ZOOMGOV

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

In Re:

JORDAN D. BUCKLIN and ZOE L.
ZIEGLER,

Debtors.

No. 23-12555-MLB

**NOTICE AND MOTION FOR
RELIEF FROM STAY OR IN
THE ALTERNATIVE FOR
ADEQUATE PROTECTION**

NOTICE

Notice is hereby given that on March 13, 2024, at 9:00 a.m. before the Honorable
Marc L. Barreca, via EVERETT ZOOMGOV:

ZOOMGOV ACCESS INFORMATION

Join ZoomGov Meeting

[https://www.zoomgov.com/j/1607704823?pwd=TUYxditUQ2l1OWdNeXVuYlZ5bTdBT09\(link is external\)](https://www.zoomgov.com/j/1607704823?pwd=TUYxditUQ2l1OWdNeXVuYlZ5bTdBT09(link%20is%20external))

Meeting ID: 160 770 4823

Passcode: 781136

**NOTICE & MOTION FOR RELIEF FROM STAY OR
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PROTECTION
(CASE NO.: 23-12555-MLB)**

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<https://www.zoomgov.com/join/916161590>

Nuvision Credit Union will present its Motion for Relief From Stay or, in the Alternative, for Adequate Protection of its security interest in a 2020 Hyundai Palisade, VIN #KM8R4DHE6LU094624. Any response must be filed and served by the response date of March 6, 2024. If no response is filed within the time allowed, the Court may in its discretion grant the motion prior to the hearing without further notice.

MOTION

Nuvision Credit Union (“hereinafter “Creditor”), moves the Court for an order terminating the automatic stay, pursuant to 11 U.S.C. Sections 362 (d)(1) and 362 (d)(2), and permit it to take any and all actions necessary to repossess and to sell the following described personal property: 2020 Hyundai Palisade, VIN #KM8R4DHE6LU094624

Creditor also moves the Court that enforcement of this order not be stayed for fourteen (14) days pursuant to BR 4001, given that the vehicle is likely to continue to depreciate in value, and it is not believed that any other party will have an objection to such relief being granted.

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1 This motion is made on the grounds that (1) the debtor is delinquent on his
2 payments to Creditor under a Retail Installment Sale Contract; (2) the interest of Creditor
3 in the vehicle is not adequately protected; (3) there is likely no equity in the debtors'
4 property; and (4) it is not necessary for an effective reorganization.

5 Obligation and Collateral. Debtor, Jordan Bucklin, signed a Retail Installment
6 Contract – Simple Finance Charge (the “Contract”) on February 8, 2020. Creditor is the
7 holder of the Contract, and the legal owner on the Certificate of Title for a 2020 Hyundai
8 Palisade, VIN #KM8R4DHE6LU094624.

9 Status of Contract and Balance Owning. The debtor has failed to make the
10 total monthly payments of \$723.88 since November, 2023. A principal payment was
11 made in November, 2023, but no further payments have been made. The principal
12 balance owing on the Contract as of the petition date, December 30, 2023, was
13 \$29,070.50. However, there are also late charges, fees and costs. In addition, interest
14 continues to accrue at the rate of \$5.37 per diem.

15 Value. Relevant industry resources indicate the vehicle’s retail value is between
16 \$23,300.00 and \$32,575.00. Each day the debtor retains possession of the vehicle, the
17 vehicle’s value will continue to decrease, especially if the debtors are continuing to drive
18 and utilize the vehicle.

19 Possession. Debtors have indicated that it will relinquish the vehicle to
20 Creditor. However, to date, Debtors have failed to do so and have failed to surrender the
21 vehicle.

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1 This Motion is based on the Declaration of Michelle Renee Tasker-Bell, a
2 Bankruptcy Specialist of Creditor, and the records and files herein. A proposed Order is
3 attached.

4 DATED this 16th day of February, 2024.

5
6 **DAVIES PEARSON, P.C.**

7
8 s/ Christopher J. Marston
9 CHRISTOPHER J. MARSTON, WSB #30571
10 Attorneys for Nuvision Credit Union
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CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of February, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the parties of record.

s/ Christopher J. Marston
CHRISTOPHER J. MARSTON,
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